

dent's becoming the channel of a petition to them. (From an opinion submitted to Washington, 1792. F. VI., 133.)

INSURRECTIONS.—The case of opposition to the embargo laws on the Canada line, I take to be that of distinct combinations of a number of individuals to oppose by force and arms the execution of those laws, for which purpose they go armed, fire upon the public guards, in one instance at least have wounded one dangerously, and rescue property held under these laws. This may not be an insurrection in the popular sense of the word, but being arrayed in war-like manner, actually committing* acts of war, and persevering systematically in defiance of the public authority, bring it so fully within the legal definition of an insurrection, that I should not hesitate to issue a proclamation, were I not restrained by motives of which your Excellency seems to be apprised. * * * I think it so important in example to crush the audacious proceedings, and to make the offenders feel the consequences of individuals daring to oppose a law by force, that no effort should be spared to compass this object. (To Governor Tompkins, 1808. C. V., 343.)

INTERNAL IMPROVEMENTS.—You will have learned that an act for internal improvement, after passing both Houses, was negatived by the President. The act was founded, avowedly, on the principle that the phrase in the Constitution which authorizes Congress "to lay taxes, to pay debts and provide for the general welfare," was an extension of the powers specifically enumerated to whatever would promote the general welfare; and this you know was the federal doctrine. Whereas, our tenet ever was, and indeed, it is the only landmark which now divides the Federalists from the Republicans, that Congress had not unlimited powers to provide for the general welfare, but were restrained to those specifically enumerated; and that, as it was never meant they should provide for the welfare, but by the exercise of the enumerated powers, so it could not have been meant they should raise money for purposes which the enumeration did not place under their action; consequently, that the specification of powers is a limitation of the purposes for which they may raise money. I think the passage and